

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Hikaru Nishitani et al.

Serial No.: 10/530,500

Filed: April 6, 2005

For: FOCUS CONTROL DEVICE AND  
CONTROL METHOD AND FOCUS  
CONTROL PROGRAM

Patent Examiner:

Group Art Unit:

October 28, 2005

Costa Mesa, California 92626

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371**Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 mailed 09/01/2005, enclosed is the executed oath for filing in the above-identified case. Also, attached is a copy of the 371 Formalities Letter

Please charge the surcharge of \$130.00 for late filing of this oath to our deposit account No. 19-2814.

If there are any questions with regard to this matter, please do not hesitate to contact the undersigned attorney.

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on October 28, 2005 by Candy Neu

Signature

Date of Signature: October 28, 2005

Very truly yours,

SNELL &amp; WILMER LLP

Joseph W. Price, Reg. No. 25,124  
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Customer No. 52044



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/530,500	Hikaru Nishitani	92478-1900

INTERNATIONAL APPLICATION NO.
PCT/JP03/13023

52044  
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IA. FILING DATE	PRIORITY DATE
10/10/2003	10/22/2002

RESPONSE DUE 11-1-05 CONFIRMATION NO. 6681  
 ACTION Oath + Fee 371 FORMALITIES LETTER  
 \*OC000000016912886\*  
 \*OC000000016912886\*

Date Mailed: 09/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495):

- Copy of the International Application filed on 04/06/2005
- English Translation of the IA filed on 04/06/2005
- Copy of the International Search Report filed on 04/06/2005
- Preliminary Amendments filed on 04/06/2005
- Information Disclosure Statements filed on 04/06/2005
- Oath or Declaration filed on 04/06/2005
- U.S. Basic National Fees filed on 04/06/2005
- Priority Documents filed on 04/06/2005
- Specification filed on 04/06/2005
- Claims filed on 04/06/2005
- Abstracts filed on 04/06/2005
- Drawings filed on 04/06/2005

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 SNELL & WILMER

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130 Surcharge.**

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/530,500	PCT/JP03/13023	92478-1900